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6 Attorneys for Defendant
SEQUOIA INSURANCE COMPANY IN ITS CAPACITY AS
7 LIABILITY INSURER FOR DEFENDANT THE ESTATE OF
JOSEPH AGGIO, DECEASED

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

11 VALENTI AGGIO, DOROTHY L.
12 AGGIO and LIVIO J. AGGIO,

13 Plaintiffs,

14 v.

15 ESTATE OF JOSEPH AGGIO, deceased,

16 Defendant.

17 SEQUOIA INSURANCE COMPANY
18 ("Sequoia") in its capacity as liability
insurer for DEFENDANT THE ESTATE
19 OF JOSEPH AGGIO, deceased

20 Third Party Plaintiff,

21 v.

22 MARVIN K. SOILAND, MARVIN K.
23 SOILAND in his capacity as trustee of the
MARVIN K. SOILAND FAMILY TRUST,
24 STONY POINT ROCK QUARRY, INC.,
and COTATI ROD and GUN CLUB

25 Third Party Defendants.

No. 3:04-cv-4357 PJH

**DISMISSAL OF THIRD PARTY
COMPLAINT WITHOUT PREJUDICE;
[PROPOSED] ORDER**

Action Filed: October 14, 2004

Trial Date: August 25, 2008

27 NOTICE IS GIVEN that pursuant to Federal Rules of Civil Procedure, Rule 41,
28

1 subdivision (c), Third Party Plaintiff SEQUOIA INSURANCE COMPANY in its capacity as
2 liability insurer for DEFENDANT ESTATE OF JOSEPH AGGIO (“Sequoia”) voluntarily
3 dismisses, without prejudice, the entire Third Party Complaint of Sequoia Insurance Company,
4 filed in this action on October 3, 2005.

5 Dated: August 6, 2008

Respectfully submitted,

ARCHER NORRIS

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Rand L. Chritton
J. L. Kortesma

JOHN E. KORTAN
Attorneys for Third Party Plaintiff
SEQUOIA INSURANCE COMPANY IN ITS
CAPACITY AS LIABILITY INSURER FOR
DEFENDANT THE ESTATE OF JOSEPH AGGIO,
DECEASED

THE COURT ORDERS AS FOLLOWS:

Sequoia's voluntary dismissal of the entire Third Party Complaint, without prejudice, is approved and ordered.

Dated: August 7, 2008

